

**Affidavit Accompanying Motion for Permission to Proceed in the District court and/or on Appeal in Forma Pauperis in Habeas Corpus Cases under 28 U.S.C. Sections 2241 and 2254.**

**United States District Court for the Eastern District of Pennsylvania**

Bracey  
(Plaintiff)

v.

Beard  
(Defendant(s))

District Court Case No. 02-3685

FILED  
JUN 25 2002  
By MICHAEL E. KUNZ, CLERK  
U.S. DISTRICT COURT

**Affidavit in Support of Motion**

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

X Signed: Edward Bracey

**Instructions**

Complete all questions in the application and then sign it. Do not leave any blanks. If the answer to a question is "O," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.

Date: June 12, 2002

My issues are:

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1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during During the past 12 months	Amount expected Next month
	You	You
	<i>~10-14.00/mo allowance</i>	<i>10-14.00/mo allowance</i>
Employment	\$ <u>                    </u>	\$ <u>                    </u>
Self-employment	\$ <u>                    </u>	\$ <u>                    </u>
Income from real property (such as rental income)	\$ <u>                    </u>	\$ <u>                    </u>
Interest and Dividends	\$ <u>                    </u>	\$ <u>                    </u>
Gifts	\$ <u>15-20</u>	\$ <u>15-20</u>
Alimony	\$ <u>                    </u>	\$ <u>                    </u>
Child Support	\$ <u>                    </u>	\$ <u>                    </u>
Retirement (such as social security, pensions, annuities, insurance)	\$ <u>                    </u>	\$ <u>                    </u>
Disability (such as social security, insurance payments)	\$ <u>                    </u>	\$ <u>                    </u>
(Unemployment payments)	\$ <u>                    </u>	\$ <u>                    </u>
Public Assistance (such as welfare)	\$ <u>                    </u>	\$ <u>                    </u>
Other specify):	\$ <u>                    </u>	\$ <u>                    </u>
Total monthly income:	\$ <u>                    </u>	\$ <u>                    </u>

2. List your employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
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	imprisoned		

3. List your spouse's employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

N/A none

Employer	Address	Dates of employment	Gross monthly pay
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4. How much cash do you and your spouse have? \$ N/A

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

N/A none

Financial Institution	Type of account	Amount you have	Amount your spouse Has
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X If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

none

Home (Value)      Other estate      Real (Value)      .....

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Motor Vehicle #1**

Value \_\_\_\_\_

Make & Year \_\_\_\_\_

Model: \_\_\_\_\_

Registration #: \_\_\_\_\_

N/A

**Motor vehicle #2**

Value \_\_\_\_\_

Make & year: \_\_\_\_\_

Model: \_\_\_\_\_

Registration # \_\_\_\_\_

**Other Assets**

Value of other assets

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

N/A

**6. State every person, business, or organization owing your or your spouse money, and the amount owed.**

none

Person owing you or your  
Spouse money

Amount owed to you

Amount owed to your spouse

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

none  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**7. State the persons who rely on you or your spouse for support.**

n/a

Name

Relationship

Age

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate:

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ <u>none</u>	\$ _____
Are real-estate taxes included?	Yes <u>1</u>	No _____
Is property insurance included:	Yes _____	No _____
Utilities (electricity, heating fuel, water, sewer and Telephone)	\$ _____	\$ _____
Home maintenance (repairs & upkeep)	\$ _____	\$ _____
Food	\$ _____	\$ _____
Clothing	\$ _____	\$ _____
Laundry & Dry-Cleaning	\$ _____	\$ _____
Medical and dental expenses	\$ _____	\$ _____
Transportation (not including motor vehicle payments)	\$ _____	\$ _____
Recreation, entertainment, newspapers magazines, etc.	\$ _____	\$ _____
Insurance, not deducted from wages or included in Mortgage payments)	\$ _____	\$ _____
Homeowner's or renter's		
Life	\$ _____	\$ _____
Health	\$ _____	\$ _____
Motor Vehicle	\$ _____	\$ _____
Other:	\$ _____	\$ _____
Taxes (not deducted from wages or included in mortgage payments) (specify): _____		
Installment payments	\$ _____	\$ _____
Motor Vehicle	\$ _____	\$ _____
Credit card	\$ _____	\$ _____
(Name) _____		
Department store (Name): _____	\$ _____	\$ _____
Other _____	\$ _____	\$ _____
Alimony, maintenance, and support		
Paid to others	\$ _____	\$ _____
Regular expenses for operation of		

business, profession, or farm (attach detailed statement)

\$ \_\_\_\_\_ \$ \_\_\_\_\_

TOTAL MONTHLY EXPENSES:

\$ \_\_\_\_\_ \$ \_\_\_\_\_

9. Do you expect any major changes in your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes \_\_\_\_\_ No ☒ If yes, describe on an attached sheet.

10. Have you paid or will you be paying an attorney any money for services in connection with this case, including the completion of this form? Yes \_\_\_\_\_ No ☒  
If yes, state the attorney's name, address, and telephone number:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Have you paid - or will you be paying- anyone other than an attorney (such as a paralegal or typist) any money for services in connection with this case, including the completion of this form?

Yes \_\_\_\_\_ No ☒

If yes, how much? \$ \_\_\_\_\_

If yes, state the person's name, address, and telephone number:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. Provide any other information that will help explain why you cannot pay the docket fees for your appeal.

*I am a death-sentenced inmate and only have my monthly prison allowance.*

13. State the address of your legal residence.

\_\_\_\_\_  
\_\_\_\_\_

CERTIFICATION

I hereby certify that the petitioner herein has the sum of \$ 33 07 on account to his credit at the Graterford Institution where he is confined. I further certify that petitioner likewise has the following securities to his credit according to the records of said \_\_\_\_\_ Institutions: \_\_\_\_\_

N/A

Mary Mushinski  
AUTHORIZED PRISON OFFICIAL

6/17/02  
DATE

FILED  
JUN 25 2002  
MICHAEL E. KUNZ, Clerk  
By [Signature] Dep. Clerk